

ENTERED

August 10, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISIONJACOB SMITH, Individually and On
Behalf of All Others Similarly Situated,*Plaintiff(s),*

v.

EXPRESS ENERGY SERVICES
OPERATING, LP,*Defendant(s).*§
§
§
§
§
§
§
§
§
§

No. 4:19-cv-04636

**ORDER APPROVING SETTLEMENT AND ENTRY OF JUDGMENT
DISMISSING LAWSUIT WITH PREJUDICE**

Pending before this Court is the Plaintiff's Unopposed Motion for Approval of Settlement and Entry of Judgment Dismissing Lawsuit with Prejudice (the "Motion"). For good cause shown, and as more fully explained below, the Motion is GRANTED.

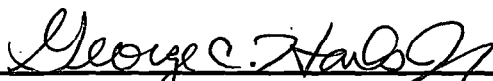
The Court finds and concludes that this lawsuit involves a bona fide dispute as to the law and fact, including liability, applicable defenses, and appropriate damages, if any, including the number of overtime hours of compensable work, if any, performed by the Class Representative and the Opt-In Plaintiffs, and the amount of overtime pay, if any, to which each would be entitled if liability were established. The Court finds: 1) that the settlement terms negotiated by the parties and described in their Agreement, a copy of which was attached to the Motion, are a fair, equitable, and reasonable resolution of a bona fide dispute between

the Class Representative, Opt-In Plaintiffs, and the Defendant, 2) that it was negotiated at arms-length with the assistance of qualified counsel, 3) that the Cost and Fee Award requested in the Motion is reasonable, 4) that the Service Award requested in the Motion is reasonable, and 5) that the settlement of the claims as to the Settlement Class Members should proceed according to the procedure set forth in the Agreement and is therefore approved. The Parties shall administer the settlement of the claims of the FLSA Class Members as set forth in the Agreement. Therefore, the Court

ORDERS that the Parties' settlement, including the final Agreement between Express Energy Services Operating, LP and Jacob Smith, on behalf of himself and all Opt-In Plaintiffs is APPROVED; and

ORDERS that this action, in its entirety, and all claims asserted herein, are DISMISSED WITH PREJUDICE, with each party to bear their or its own costs, fees and expenses.

Signed this 10th day of August, 2021.


HON. GEORGE C. HANKS, JR.
UNITED STATES DISTRICT JUDGE